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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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MAR 16 2004

Federal Communication Commission
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Federal Communications Commission
Office of the Secretary

In re Amendment of Section 73.202(b))
of the Commission's Rules,) MM Docket No
Table of Allotments) RM-
FM Broadcast Stations)
(Parker, Arizona))

To: Assistant Chief, Audio Division, Office of Broadcast License Policy, Media Bureau

SUPPLEMENT TO PETITION FOR RULEMAKING

Farmworker Educational Radio Network, Inc. ("FERNI"), licensee of radio station KRIT (FM), Parker, Arizona, hereby supplements its pending Petition for Rulemaking ("Petition"), filed July 15, 2002, which seeks to substitute Channel 252B1 for Channel 230C3 at Parker. It is noted that although the Petition was treated as in conflict with a counterproposal in MM Docket No. 02-73, that counterproposal was a contingent request abandoned by the proponent in the course of the latter proceeding (as FERNI pointed out in July 24, 2003 Reply Comments submitted in Docket 02-73).

Commission allocations staff have now advised undersigned counsel of the existence of a terrain obstruction identified in preliminary processing of FERNI's original Petition to substitute Channel 252B1 for Channel 230C at Parker, Arizona. The problem was confirmed by the proponent's engineer, who prepared the attached Engineering Exhibit, which modifies slightly the originally specified transmitter site coordinates, so that there is no obstruction to the city of license from the proposed substitute site and full coverage of the community of license can be achieved.

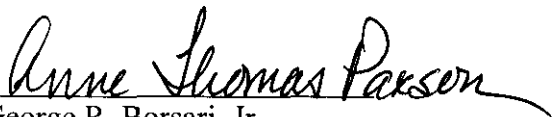
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Accordingly, it is respectfully requested that Commission staff promptly issue a notice proposing to amend the FM Table of Allotments as requested in FERNI's Petition for Rulemaking, as supplemented herein

Respectfully submitted,

FARMWORKERS EDUCATIONAL
RADIO NETWORK, INC.

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March 16, 2004

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ENGINEERING EXHIBIT EE-RM-1:

**MODIFICATION OF PENDING
RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

SUBSTITUTE CH. 252B1 FOR 230C3 AT PARKER, AZ

MARCH 12, 2004

ENGINEERING STATEMENT PREPARED ON BEHALF OF
FARMWORKER EDUCATIONAL RADIO NETWORK, INC
RADIO STATION KRIT (FM)
CHANNEL 230C3 - PARKER, ARIZONA

Facility ID. 88674

ENGINEERING EXHIBIT EE-RM-1:

**MODIFICATION OF PENDING
RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

SUBSTITUTE CH. 252B1 FOR 230C3 AT PARKER, AZ

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From Ref Point for Parker, AZ
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Declaration

I, John J. Mullaney, declare and state that I am a graduate electrical engineer with a B.E.E and my qualifications are known to the Federal Communications Commission, and that I am an principal engineer in the firm of Mullaney Engineering, Inc., and that I have provided engineering services in the area of telecommunications since 1977. My qualifications as an expert in radio engineering are a matter of record with the Federal Communications Commission.

The firm of Mullaney Engineering, Inc., has been requested by Farmworker Educational Radio Network, Inc., licensee of Radio Station KRIT(FM), to prepare the instant engineering exhibit in support of a modification to a pending rule making petition to amend the FM Table of Allotments at Parker, Arizona (FCC Facility ID Number. 88674).

All facts contained herein are true of my own knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. I declare under penalty of perjury that the foregoing is true and correct.

/s/ John J. Mullaney

John J. Mullaney, Consulting Engineer

Executed on the 12th day of March 2004

ENGINEERING EXHIBIT EE-RM-1:

**MODIFICATION OF PENDING
RULE MAKING TO AMEND
FM TABLE OF ALLOTMENTS**

SUBSTITUTE CH. 252B1 FOR 230C3 AT PARKER, AZ

NARRATIVE STATEMENT.

This engineering statement has been prepared on behalf of Farmworker Educational Radio Network, Inc., licensee of Radio Station KRIT(FM), Channel 230C3 at Parker, Arizona (Facility ID 88674) The purpose of this statement is to **modify** the pending engineering in support of a rule making petition to amend the FM Table of Allotments to substitute Ch 252B1 for Ch. 230C3 at Parker, Arizona, and to modify the license of Farmworker accordingly This modification submits new coordinates.

Farmworker wishes to utilize an existing electronic site located in California. Since this portion of California is considered Zone I-A or what is commonly called the Class B Zone it is necessary for Farmworker to operate as a B1 facility rather than a C3 facility (both are essentially equivalent classes). Its existing Ch 230 does not qualify to operate as a B1 from the area north of Parker and therefore, it is seeking a change to a compatible B1 channel

Farmworker wishes to point out that the channel/class it seeks is equivalent to its existing channel/class As will be shown multiple other channels exists which work for C3 or B1 allotments and, therefore, its request is in compliance with Section 1.420(g) of the rules and is not subject to competing expressions of interest.

The proposed reference point is within 290 kilometers (180 miles) of a United States Border and, therefore, **foreign concurrence is required.**

Proposed Reference Site

For the purposes of this rule making the applicant proposes to use a special reference point which is located 12 km (7.5 miles) north of the city of Parker, AZ. Farmworkers is negotiating to use an existing site and conditions its acceptance of this RM on the use of this special reference point

N Latitude.	34°	14'	45"	NAD-27
W Longitude	114°	16'	14"	

The proposed reference site has been verified and found that it will provide an unobstructed view of the city of license, Parker and is located close enough to serve the entire community with the required 316 mV/M or 70 dBu contour. **Figure 2** is a general area map showing the Parker area. It also demonstrates that the proposed reference is in California and establishes that the 60 dBu population will increase from 11,075 to 16,980 persons (2000 Census).

Channel Allocation Study

Figure 1 is a Channel Allocation Study from the special B1 reference point for Parker, Arizona. The study indicates the actual & required separation in kilometers to all licenses, construction permits, applications, vacant allocations and pending rule makings. From this study it can be determined that proposed reference point exceeds all of these minimum separations.

RM Petition - Parker, AZ
Substitution of Ch 252B1 for 230C3
Farmworker Educational Radio Network, Inc
March 2004

MULLANEY ENGINEERING, INC.

Farmworkers believes that the proposed change in channel/class will serve the public interest by increasing the 60 dBu population. If granted, Farmworker will quickly file an application for construction permit

/s/ John J. Mullaney

John J Mullaney, Consulting Engineer

March 12, 2004.

FARMWORKERS EDUCATIONAL RADIO

REFERENCE

34 14 45 N
114 16 14 W

CLASS = B1
Current Spacings

DISPLAY DATES

DATA 03-12-04
SEARCH 03-12-04

----- Channel 252 - 98.3 MHz -----

Call	Channel	Location	Dist	Azi	FCC	Margin
RADD	ADD 252B1	Parker	AZ 6.29	17.4	175.0	Pending
KKLD	LIC 252C2	Prescott Valley	AZ 203.89	75.5	200.0	3.89
RADD	ADD 250C1	Needles	CA 87.22	354.7	77.0	10.22
RDEL	DEL 250C1	Needles	CA 88.00	354.2	77.0	11.00
KLUK	LIC 250C1	Needles	CA 88.00	354.2	77.0	11.00
KLUCFM	LIC 253C	Las Vegas	NV 206.66	341.4	193.0	13.66
KHWY	LIC 255B	Essex	CA 101.55	314.2	71.0	30.55
KHWY.A	APP 255B	Essex	CA 101.57	314.2	71.0	30.57

RM Reference point is 12 km (7.5 miles) from CP or City

Proposed reference point is located in California and, thus,
Parker must operate as a Class B1 rather than a Class C3.
This change in class is NOT considered an upgrade.

CHANNEL STUDY - 252B1 - SPECIAL REFERENCE POINT

FARMWORKERS EDUCATIONAL RADIO NETWORK, INC.
RULE MAKING
SUBSTITUTE 252B1 FOR 230C3 AT PARKER, ARIZONA

MULLANEY ENGINEERING, INC.
GAITHERSBURG, MARYLAND

FIGURE 1
MARCH 2004

FIGURE 2 - AREA MAP - PARKER, AZ

Farmworker Educational Radio Network, Inc.
Rule Making - Substitute 252B1 for 230C3

ALT-252B1
Parker AZ

Latitude: 34-14-45 N
Longitude: 114-16-14 W
ERP: 25.00 kW
Channel 252 B1
Frequency: 98.3 MHz
AMSL Height: 432.42 m
Elevation: 359.81 m
Horiz. Pattern: Omni
Vert. Pattern: No

KRIT LIC
230C3

Mullaney Engineering - March 2004

RM-252B1

City of
Parker, AZ

Scale 1:1,000,000
0 10 20 30 km

